

REMARKS/ARGUMENTS

Claims 1-59 are pending in the above application.

The Office Action dated June 11, 2008, has been received and carefully reviewed. In that Office Action, the claims and specification were objected to, and claims 1-59 were rejected under 35 U.S.C. 102(e) as being anticipated by Brown (U.S. 2003/0112956) (hereinafter, "Brown"). Each of these issues is addressed below, and reconsideration and allowance of claims 1-59 is respectfully requested in view of the following remarks.

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

A personal interview was conducted on September 12, 2008, between examiner Thjuan Addy and Applicant's representative, Scott Wakeman. No exhibits were shown, and claims 1 and 7 and the prior art reference to Brown were discussed. During the interview, the examiner agreed that the presently pending claims were not anticipated by Brown, and further agreed to update her search to see whether any additional art could be located that might support new rejections of the claims. Applicant agreed to file a response and wait for an allowance or a further Office Action.

CLAIM OBJECTIONS

Claims 10 and 11 were objected to for including the phrase "according to according to." These claims have been amended to remove the second occurrence of "according to" in each claim. In addition, other claims have been amended to address typographical errors. These amendments address informalities only and are not submitted in response to the rejections raised in the Office Action. The withdrawal of

the claim objections is respectfully requested in view of the above amendments.

OBJECTION TO THE SPECIFICATION

The specification is objected to because the section headings are not all capitalized. By the above amendment, the section headings have been capitalized. The withdrawal of this objection to the specification is respectfully requested in view of this amendment.

REJECTIONS UNDER 35 U.S.C. 102(e)

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Brown. During the interview, the examiner agreed that Brown did not show all limitations of claim 1 and agreed to withdraw the anticipation rejection based on Brown. Claim 1 is therefore submitted to be allowable over the art of record, and reconsideration and allowance of claim 1 is respectfully requested.

Claim 1 has been amended to improve its readability; however, the amendment to claim 1 was not made to distinguish over Brown or any other art of record. The amendment to claim 1 was therefore not made for reasons related to patentability.

Claims 2-16 depend from claim 1 and are submitted to be allowable for at least the same reasons as claim 1.

It was also agreed during the interview that Independent claim 17 distinguished over Brown. The allowance of claim 17 and its dependent claims 18-26 is therefore respectfully requested. Claim 17 was amended to improve its readability, but this amendment was not necessary to distinguish over Brown.

Claims 26-59 were not specifically discussed during the interview. However,

based on the discussions during the interview regarding the teachings of Brown and the operation of an embodiment of Applicant's invention, it is believed that claims 26-59 also distinguish over Brown. Each of these claims is briefly addressed below.

Brown discusses a system that allows a user who reaches a person's voice mailbox to transfer to another extension. Claim 26 recites, for a call initiated with a first other network device, if the first other network device cannot be reached, looking up a destination address for a second other network device, initiating an other call to the second other network device, and, responsive to receiving a first message from the second other network device containing a call forwarding destination, responding with a second message to a network device having the call forwarding destination for setting up another call, the call forwarding destination being obtained by the second other network device on behalf of the first network device. Brown in no manner shows or suggests at least these limitations of claim 26, and claim 26 is submitted to be allowable over Brown for at least this reason.

Claim 27 depends from claim 26 and is submitted to be allowable for at least the same reasons as claim 26.

Claim 28 recites a network device adapted to participate in forwarding of a call from the network device to a first other network device. The network device includes a call forwarding function adapted to, responsive to receiving a first message from a second other network device for replacing the call with another call with the second network device, establishing a media path with the second other network device. Brown does not disclose such a network device, and claim 28 and its dependent claim 29 are submitted to be allowable over Brown for at least this reason.

Claim 30 recites a network device adapted to participate in call forwarding of call

from a first other network device to a second other network device. The second other network device initiates an other call to the network device, and the network device comprises a call forwarding function adapted to establish a media path with the first other network device. Brown does not show at least these limitations of claim 30, and claim 30 is submitted to be allowable for at least this reason.

Claim 31 recites a system in a network that includes a plurality of network devices each capable of accessing the network, each network device comprising a call forwarding function adapted to, a) as an original destination network device, upon receipt of a first call, i) look-up a call forwarding destination and provide destination information associated with the call forwarding destination to a network device from which the first call originates, and b) as an originator network device of a second call, responsive to receiving a message containing destination information of an other network device, establish a media path with the other network device. Brown does not show or suggest at least these limitations, and claim 31 is submitted to be allowable over Brown for at least this reason.

Claims 32-39 depend from claim 31 and are submitted to be allowable over Brown for at least the same reasons as claim 31.

Claim 40 recites a system in a network that includes a plurality of network devices each capable of accessing the network, each network device comprising a call forwarding function adapted to, a) as an original destination network device, upon receipt of a first call, i) look-up a call forwarding destination, and ii) send a first message to a network device having the call forwarding destination for setting up a call with the network device having the call forwarding destination, and b) as an originator network device of a second call, responsive to receiving a second message containing

destination information of an other network device, establish a media path with the other network device. Brown does not show these limitations of claim 40, and claim 40 and its dependent claim 41 are submitted to be allowable over Brown for at least this reason.

Claim 42 recites a method, in a network device, that comprises: responsive to receiving an incoming call from a first other network device, if the incoming call was intended for an other network device, looking-up a call forwarding destination on behalf of the other network device, and responding to the incoming call with the call forwarding destination. Brown does not show at least these limitations of claim 42, and claim 42 is submitted to be allowable over Brown for at least this reason.

Claims 43-59 recite articles of manufacture comprising computer readable code means including computer readable means for causing certain actions to occur. The actions recited in these claims correspond generally to the limitations of certain ones of claim 1-42. The specific limitations of these claims are not discussed herein. However, each of these claims is submitted to be allowable over Brown at least because the specific limitations recited in the claims are not disclosed in Brown. For this reason, and for the reasons provided above in connection with claims 1-42, claims 43-59 are submitted to be allowable over Brown.

CONCLUSION


Each issue raised in the Office Action dated June 11, 2008, has been addressed, and it is believed that claims 1-59 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited. If the examiner believes that any additional changes would place the application in better

condition for allowance, the examiner is invited to contact Scott Wakeman (Reg. No. 37,750) at the telephone number listed below.

Deposit Account Authorization

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-3828 and please credit any excess fees to such deposit account.

Respectfully submitted,

 #37,750
for Scott L. Lowe
Registration No. 41,458

PO BOX 1364
Fairfax, VA 22038-1364
1.703.621.7140

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